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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

02581-P0442A

First Inventor

Michael Strobel, et al.

Title

Instrumentarium For Implanting A Tendon  
Replacement

Express Mail Label No.

EL 889 836 350 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **21**]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claims(s)
  - Abstract of the Disclosure
4. ☐ Drawings(s) (35 USC 113) [Total Sheets **8**]
5. ☐ Oath or Declaration [Total Pages **0**]
  - a. ☒ New executed (original or copy)
  - b. ☐ Copy from prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b.: Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 of its equivalent.
17. ☒ Other: PCT/EP00/08567 Cover Sheet

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

☒ Continuation ☐ Divisional ☐ Continuation-in-part

of prior application No.: PCT/EP00/08567 September 1, 2000

Prior application information: Examiner Group/Art Unit:

Priority Claimed: DE 199 41 574.9 September 1, 1999

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

☒ Customer Number of Bar Code Label

24126

☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

|         |                                                             |           |              |          |              |
|---------|-------------------------------------------------------------|-----------|--------------|----------|--------------|
| Name    | Wesley W. Whitmyer, Jr.                                     |           |              |          |              |
| Address | St. Onge Steward Johnston & Reens LLC<br>986 Bedford Street |           |              |          |              |
| City    | Stamford                                                    | State     | CT           | Zip Code | 06905-5619   |
| Country | United States                                               | Telephone | 203 324-6155 | Fax      | 203 327-1096 |

|                   |                                                                                     |                                   |              |
|-------------------|-------------------------------------------------------------------------------------|-----------------------------------|--------------|
| Name (Print/Type) | Wesley W. Whitmyer, Jr.                                                             | Registration No. (Attorney/Agent) | 33,558       |
| Signature         |  |                                   | Date 2/28/02 |

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

## Complete if Known

|                      |                         |
|----------------------|-------------------------|
| Application No.      | - Pending               |
| Filing Date          | February 28, 2002       |
| First Named Inventor | Michael Strobel, et al. |
| Examiner Name        |                         |
| Group Art Unit       |                         |

TOTAL AMOUNT OF PAYMENT (\$ 740.00

Attorney Docket Number 02581-P0442A WWW

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payment to:

Deposit Account Number **19-4516**

Deposit Account Name **St. Onge Steward Johnston & Reens LLC**

- ☒ Charge Any Additional Fee Required Under CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid   |
|----------------|-----------------|----------------|-----------------|------------------------|------------|
| 101            | 740             | 201            | 370             | Utility filing fee     | 740.00     |
| 106            | 330             | 206            | 165             | Design filing fee      |            |
| 107            | 510             | 207            | 255             | Plant filing fee       |            |
| 108            | 740             | 208            | 370             | Reissue filing fee     |            |
| 114            | 160             | 214            | 80              | Provisional filing fee |            |
| SUBTOTAL (1)   |                 |                |                 |                        | (\$ 740.00 |

## 2. EXTRA CLAIMS FEES

| Total Claims       | Extra Claims | Fee from Below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 16                 | -20**=       | 0              | X        |
| 1                  | -3**=        | 0              | X        |
| Multiple Dependent |              | 0              | X        |

  

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description                                            |
|----------------|-----------------|----------------|-----------------|------------------------------------------------------------|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                     |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                          |
| 104            | 280             | 204            | 140             | Multiple dependent claims, if not paid                     |
| 109            | 80              | 209            | 40              | ** Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | ** Reissue claims in excess of 20 and over original patent |

\*\* or number previously paid, if greater; For Reissues, see above

SUBTOTAL (2) (\$ -0-

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description                                                            | Fee Paid |
|----------------|-----------------|----------------|-----------------|----------------------------------------------------------------------------|----------|
| 105            | 130             | 205            | 65              | Surcharge - late filing for or oath                                        |          |
| 127            | 50              | 227            | 25              | Surcharge - late provisional filing or cover sheet                         |          |
| 139            | 130             | 139            | 130             | Non-English specification                                                  |          |
| 147            | 2,520           | 147            | 2,520           | For filing a request for ex parte reexamination                            |          |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action                     |          |
| 113            | 1,840*          | 113            | 1,840           | Requesting publication of SIR after Examiner Action                        |          |
| 115            | 110             | 215            | 55              | Extension for reply within first month                                     |          |
| 116            | 400             | 216            | 200             | Extension for reply within second month                                    |          |
| 117            | 920             | 217            | 460             | Extension for reply within third month                                     |          |
| 118            | 1,440           | 218            | 720             | Extension for reply within fourth month                                    |          |
| 128            | 1,960           | 228            | 980             | Extension for reply within fifth month                                     |          |
| 119            | 320             | 219            | 160             | Notice of Appeal                                                           |          |
| 120            | 320             | 220            | 160             | Filing a brief in support of an appeal                                     |          |
| 121            | 280             | 221            | 140             | Request for oral hearing                                                   |          |
| 138            | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                              |          |
| 140            | 110             | 240            | 55              | Petition to revive - unavoidable                                           |          |
| 141            | 1,280           | 241            | 640             | Petition to revive - unintentional                                         |          |
| 142            | 1,280           | 242            | 640             | Utility issue fee (or reissue)                                             |          |
| 143            | 460             | 243            | 230             | Design issue fee                                                           |          |
| 144            | 620             | 244            | 310             | Plant issue fee                                                            |          |
| 122            | 130             | 122            | 130             | Petitions to the Commissioner                                              |          |
| 123            | 50              | 123            | 50              | Processing fee under 37 CFR 1.17(q)                                        |          |
| 126            | 240             | 126            | 240             | Submission of Informational Disclosure Stmt                                |          |
| 581            | 40              | 581            | 40              | Recording each patent assignment per Property (times number of properties) |          |
| 146            | 740             | 246            | 370             | Filing a submission after final rejection (37CFR § 1.129(a))               |          |
| 149            | 740             | 249            | 370             | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179            | 740             | 279            | 370             | Request for Continued Examination (RCE)                                    |          |
| 169            | 900             | 169            | 900             | Request for expedited examination of a design application                  |          |

Other fee (specify)

\* Reduced by Basic Filing Fee paid

SUBTOTAL (3) (\$ -0-

SUBMITTED BY St. Onge Steward Johnston &amp; Reens LLC

Complete (if applicable)

|                   |                         |                                   |           |           |              |
|-------------------|-------------------------|-----------------------------------|-----------|-----------|--------------|
| Name (Print Type) | Wesley W. Whitmyer, Jr. | Registration No. (Attorney/Agent) | 33,558    | Telephone | 203 324-6155 |
| Signature         |                         | Date                              | 2/28/2002 |           |              |

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PATENT  
02581-P0442A WWW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                       |                                                        |
|-----------------------|--------------------------------------------------------|
| Applicants            | Michael Strobel, et al.                                |
| Serial No. - Pending  | February 26, 2002                                      |
| Title of Application: | Instrumentarium For Implanting A<br>Tendon Replacement |

Assistant Commissioner for Patents  
Washington, DC 20231

**Cover Sheet For Eight Sheets Of Drawings**

Attorney for Applicants  
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